

**Missoula City Council
Public Works Committee Agenda**

Date: March 16, 2022, 1:15 pm - 3:00 pm
Location: ZOOM Webinar
Members: Stacie Anderson, Mirtha Becerra (chair), Daniel Carlino, John P. Contos, Jordan Hess, Gwen Jones, Kristen Jordan, Mike Nugent, Jennifer Savage, Amber Sherrill, Sandra Vasecka, Heidi West

Attend by computer:

[Join the meeting](#)

Attend by phone:

Cell phone users: 1-253-215-8782, 1-213-338-8477, or 1-267-831-0333

Landline users: 1-888-475-4499 or 1-877-853-5257

Webinar ID: 896 1339 8849

Password: 027222, Press *9 to raise your hand to be recognized for public comment

Watch the meeting:

[Web stream \(live or on demand\)](#), [YouTube](#), or Spectrum Cable Channel 190

For more ways to watch the meeting and submit public comment, see the Citizen Participation Guide.

Issues? Call the City Clerk 406-552-6078.

If anyone attending this meeting needs special assistance, please provide 48 hours advance notice by calling the City Clerk Office at 406-552-6073.

Pages

1. ADMINISTRATIVE BUSINESS

1.1. Roll Call

1.2. Approval of the Minutes

1.2.1. PW Committee Minutes from March 9, 2022

1

2. PUBLIC COMMENT

3. COMMITTEE BUSINESS

3.1. Second Amendment to the Mullan BUILD – Interlocal Agreement between the City of Missoula and Missoula County

Jeremy Keene

4

Recommended motion:

Approve and authorize the Mayor to sign the Second Amendment to the Mullan BUILD – Interlocal Agreement between the City of Missoula and Missoula County.

- 3.2. **A Resolution Establishing the Mullan BUILD Water and Sewer Development Fees** Logan McInnis 7

Recommended motion:

Motion for March 28, 2022: [First reading and preliminary adoption] I move the City Council set a public hearing on April 11, 2022 to adopt a resolution establishing the Mullan BUILD Water and Sewer Special Development Fees as proposed by Missoula Public Works and Mobility Department effective April 18, 2022. **Motion for April 11, 2022:** [Second reading and final adoption] I move the City Council adopt a resolution establishing the Mullan BUILD Water and Sewer Special Development Fees as proposed by Missoula Public Works and Mobility Department effective April 18, 2022.

- 3.3. **A Resolution to Order the 2021 curb and sidewalk associated improvements adjacent to miscellaneous parcels** Monte Sipe 13

Recommended motion:

Approve the resolution ordering in sidewalk, curb, gutter, and alley approach improvements without the creation of a special improvement district for improvements adjacent to miscellaneous parcels in the City for the 2021 project year, as established in exhibit A.

- 3.4. **Presentation on the Higgins Avenue Corridor (Brooks to Broadway) Project** Aaron Wilson 31

4. **ADJOURNMENT**

Missoula City Council Public Works Committee Minutes

March 9, 2022, 9:00 am
ZOOM Webinar

Members present: Stacie Anderson, Mirtha Becerra (chair), Daniel Carlino, John P. Contos, Jordan Hess, Gwen Jones, Kristen Jordan, Mike Nugent, Amber Sherrill, Sandra Vasecka, Heidi West

Members absent: Jennifer Savage

1. ADMINISTRATIVE BUSINESS

1.1 Roll Call

1.2 Approval of the Minutes

The minutes were approved as submitted.

1.2.1 Minutes from PW Committee March 2, 2022

2. PUBLIC COMMENT

3. COMMITTEE BUSINESS

3.1 Purchase of three (3) Ford Explorers for Police Department

Scot Colwell Fleet Director presenting,

The purchase of these police interceptor Ford explorers is replacing a request made to the council on February 16, 2022, for three Dodge pickup trucks. Once the council approved purchasing the Dodge pickup trucks, the manufacturer cut off ordering, so Mr. Colwell would like to replace the pickup truck purchase with these Ford Explorers. This is not an additional purchase but just replacing an order that could not be filled due to a manufacturer shortage. These Ford Explorers have a V6 engine, and Mr. Colwell explained that they test out very well in comparison to the V8 of the Dodge Charger.

Ms. Jordan asked why the City does not purchase used cars. Mr. Colwell explained that for the police fleet, this is not a good option. The police vehicles have to be police rated, and most used police vehicles have too many miles. Mr. Colwell explained that the City usually purchases new vehicles for the police fleet and then recycles the vehicles once the police are done to the rest of the City. Ms. Jordan asked why we don't purchase hybrid vehicles for the police staff. Mr. Colwell said the hybrid explorers were not popular within the department for various reasons. The police equipment has to be ordered special to allow for the police communications and wiring. Mr. Carlino would like to see the City look to move toward electric vehicles.

Moved by: Amber Sherrill

Approve the purchase of three (3) Police interceptor Explorers from Duval Ford of Jacksonville, Florida for \$48,640.08 each totaling \$145,920.24.

AYES: (10): Stacie Anderson, Mirtha Becerra, Daniel Carlino, John Contos, Jordan Hess, Gwen Jones, Kristen Jordan, Mike Nugent, Amber Sherrill, and Sandra Vasecka

ABSENT: (2): Jennifer Savage, and Heidi West

Vote results: Approved (10 to 0)

3.2 Award Street Maintenance and Construction Material Contracts for 2022

Brian Hensel Deputy Director of Public Works for Streets,

This is the annual referral for the purchasing of construction materials. The majority of these are local vendors, with the exception of one Idaho company for the chip seal oil. These materials are used for construction, such as paving and chip seal and sanding material for winter. The material did increase this year, and the low bidder was selected for all the materials.

Ms. Jordan asked about the department's approach to selecting greener materials. Mr. Hensel said the types of material he uses depending on what is available in the area and budget restrictions. For example, if he orders environmental asphalt, he would have to go out of state, and the costs would increase. Mr. Hensel did add that he is using recycled chips this year from last year. The asphalt millings that go into the ally are also recycled from the used pavement in the streets. Ms. Jordan said she would like to discuss trying to use greener materials even if they cost more.

Moved by: Sandra Vasecka

I move the City Council awards the bids for Street Division construction and maintenance materials as follows and authorizes the Mayor to sign purchase agreements with the lowest bidders: 1. Award the bid for 500 tons of emulsified asphalt CRS-2P polymer modified to Idaho Asphalt Supply Inc. of Hauser, ID, at \$605.00/ton for a total of \$302,500.00 and authorize the return of bid bonds. 2. Award the bid for 2,000 tons of hot mix asphalt (grade "B") to Knife River of Missoula, MT, at \$54.18/ton for a total of \$108,360.00 and authorize the return of bid bonds. 3. Award the bid for 1,000 tons 3/8" seal coat aggregate to Western Excavating of Missoula, MT, at \$31.00/ton for a total of \$31,000.00 and authorize the return of bid bonds. 4. Award the bid for 3,000 tons of hot mix asphalt (driveway grade 3/8") to Knife River of Missoula, MT, at \$57.18/ton for a total of \$171,540.00 and authorize the return of bid bonds. 5. Award the bid for 500 tons of hot mix asphalt (grade "D") to Knife River of Missoula, MT, at \$54.18/ton for a total of \$27,090.00 and authorize the return of bid bonds. 6. Award the bid for 1,500 tons of drain aggregate (sump rock) to Western Excavating of Missoula, MT, at \$30.00/ton for a total of \$45,000.00 and authorize the return of bid bonds. 7. Award the bid for 5,000 tons of 1/2" winter traction aggregate to Knife River of Missoula, MT, at \$17.00/ton for a total of \$85,000.00 and authorize the return of bid bonds.

AYES: (11): Stacie Anderson, Mirtha Becerra, Daniel Carlino, John Contos, Jordan Hess, Gwen Jones, Kristen Jordan, Mike Nugent, Amber Sherrill, Sandra Vasecka, and Heidi West

ABSENT: (1): Jennifer Savage

Vote results: Approved (11 to 0)

3.3 Referral – Informational Resource Recovery Presentation

Gene Connell Resource Recovery Superintendent,

The Wastewater Division comprises the Collection System and Resource Recovery Facility and has 35 employees.

The Collection System is the infrastructure that conveys Missoula's wastewater to the Resource Recovery Facility. The City has 377 miles of sewer line, 31 pump stations, and 1,800 STEP systems. The sewer lines are maintained using high-pressure jetting and video inspection. The older clay tile pipes are cleaned every year, and the PVC pipes are cleaned every other year. The collection system has less than one back-up a year, which is the lowest in the State.

The Resource Recovery Facility is made up of wastewater treatment, Garden City Compost, and the Poplar Farm. The Wastewater Treatment Facility treats about 7.5 million gallons a day; of that, almost every gallon goes back into the Clark Fork River as treated wastewater. The volume removed is minimal but essential to the river. The methane gas is recovered and used for general electricity. The organic material is used to make compost. In the summertime, the treated water irritates the poplars, reducing the impact on the river.

The Primary Treatment removes about half of the organic material, and this was started in 1962. This is a simple sedimentary process and separates solids. The clarified water goes to secondary treatment, and the solids go to anaerobic digestion. The secondary treatment uses bioreactors and secondary clarification, then to a UV disinfection, and lastly headed to the river. The anaerobic digestion takes the sludge and ferments it by breaking it down into smaller fatty acids, then to another digester, dewatering system, and then to the compost. The compost is used by land reclamation projects, landscapers, and citizens. The Poplar Farm was planted in 2014 and was intended to grow for sawlogs. In 2018 the City realized through a group of MBA U of M graduates that the market for the logs no longer existed within a reasonable distance of Missoula. In the 2021 season, 588 pounds of phosphorus and 11,322 pounds of nitrogen were diverted from the Clark Fork River to the trees. Some other options for the poplar plant that are being considered are short rotation coppicing, alfalfa, Christmas trees, and sod.

Missoula continues to have the lowest wastewater utility rates in the State. In closing, The Resource Recovery Facility provides advanced wastewater treatment, onsite renewable energy production, onsite biosolids composting, and onsite nutrient recovery to poplar trees, all for the lowest wastewater utility rates in the State.

No Recommended Motion—Informational Only

4. ADJOURNMENT



City of Missoula, Montana
Item to be Referred to City Council Committee

Committee: Public Works
Item: Second Amendment to the Mullan BUILD – Interlocal Agreement between the City of Missoula and Missoula County
Date: March 3, 2022
Sponsor(s): Jeremy Keene
Prepared by: Katie Emery
Ward(s) Affected:
 Ward 1 Ward 4
 Ward 2 Ward 5
 Ward 3 Ward 6
 All Wards N/A

Action Required:
Approve the Second Amendment to the Mullan BUILD – Interlocal Agreement between the City of Missoula and Missoula County.

Recommended Motion(s):
I move the City Council: Approve and authorize the Mayor to sign the Second Amendment to the Mullan BUILD – Interlocal Agreement between the City of Missoula and Missoula County.

Timeline:
Referral to committee: March 14, 2022
Committee discussion: March 16, 2022
Council action (or sets hearing): March 28, 2022
Public Hearing (if required): N/A
Deadline: N/A

Background and Alternatives Explored:
Missoula County received a final Guaranteed Maximum Price (GMP) for the Mullan BUILD Project and intends to enter into contracts for construction. This amendment increases the City’s funding contribution from \$5,800,000 to \$6,250,000, consisting of \$2,575,000 from Transportation Impact Fees and \$3,675,000 from Water and Sewer Development Funds. The increase in the City’s contribution reflects cost inflation over the past six months.

Financial Implications:
\$2,575,000 from the Transportation Impact Fees
\$3,675,000 from Water and Sewer Development Funds
These expenditures were previously approved as part of the FY22 Mullan BUILD CIP

Links to external websites:
<https://www.mullanbuild.com/>

**SECOND AMENDMENT TO
MULLAN BUILD – INTERLOCAL AGREEMENT BETWEEN CITY OF MISSOULA
AND MISSOULA COUNTY**

THIS AMENDMENT (“Amendment”), signed this 8th day of March, 2022 is intended to amend the Mullan Build – Interlocal Agreement Between City of Missoula and Missoula County (“Original Agreement”) entered into between the City of Missoula (the "City"), and Missoula County (the “County”) on February 18, 2020.

RECITALS

Whereas, the Parties previously entered into the Original Agreement with the understanding that the County would be responsible for a matching funding contribution of \$1,000,000 and the City would be responsible for a matching funding contribution of \$6,300,000 as identified in Section 4 of the Original Agreement; and

Whereas, the Parties previously entered into the First Amendment to the Original Agreement amending the County funding contribution to \$800,000 plus an additional \$500,000 contingency, with a future funding commitment of \$500,000 for shared use paths, and amending the City funding contribution to \$5,800,000.

Whereas, the County received a final Guaranteed Maximum Price (GMP) for the Mullan BUILD Project and intends to enter into contracts for construction; and

Whereas, both Parties desire to amend their matching funding contributions as they relate to the initial phase of Mullan BUILD Project.

Now therefore, in consideration for the promises and covenants contained below, the Parties agree to amend the Original Agreement and First Amendment by replacing the following provisions in Section 4 in the Original Agreement:

4.5. The County is responsible for a matching funding contribution of \$800,000 plus an additional \$500,000 in contingency funds which may be used if the Federal BUILD Grant funding and City funding included in 4.6 below are not sufficient to cover the cost of construction. The County is committed to an additional \$500,000 for future shared use path construction as the next phase of the Mullan BUILD Project.

4.6 The City is responsible for a matching funding contribution of \$6,250,000, consisting of \$2,575,000 for transportation improvements and \$3,675,000 for water and sewer utility improvements. Additionally, City agrees to work with the County to complete the Flynn Trail and the Mullan Trail as the next phase of the Mullan BUILD Project, as required by the Federal BUILD Grant agreement, including funding up to \$705,000 designated for those projects in the Sxwtpqyen Area Transportation Special Impact Fee, as that funding becomes available.

All other terms and conditions of the Original Agreement remain in full force and effect. This Amendment is effective upon execution by all of the parties.

IN WITNESS WHEREOF the parties have executed this Amendment on the date referenced beside each signature below.

Missoula Board of County Commissioners

Juanita Vero

6F45D36DCC41E9C2B2D512DC93A576B2 ready**sign**

By: Juanita Vero, Chair

Josh Slotnick

137D51ED69FA2244FEA409545EBDD56F ready**sign**

By: Josh Slotnick

Not Available

By: Dave Strohmaier

City of Missoula

By: John Engen, Mayor

Attest: _____
City Clerk



City of Missoula, Montana
Item to be Referred to City Council Committee

Committee: Public Works
Item: A Resolution Establishing the Mullan BUILD Water and Sewer Development Fees
Date: March 10, 2022
Sponsor(s): Logan McInnis
Prepared by: Katie Emery
Ward(s) Affected:
 Ward 1 Ward 4
 Ward 2 Ward 5
 Ward 3 Ward 6
 All Wards N/A

Action Required:
Adopt a resolution to establish the Mullan BUILD Water and Sewer Special Development Fees associated with the Mullan BUILD Project.

Recommended Motion(s):
I move the City Council: **Motion for March 28, 2022:** [First reading and preliminary adoption] I move the City Council set a public hearing on April 11, 2022 to adopt a resolution establishing the Mullan BUILD Water and Sewer Special Development Fees as proposed by Missoula Public Works and Mobility Department effective April 18, 2022. **Motion for April 11, 2022:** [Second reading and final adoption] I move the City Council adopt a resolution establishing the Mullan BUILD Water and Sewer Special Development Fees as proposed by Missoula Public Works and Mobility Department effective April 18, 2022.

Timeline:
Referral to committee: March 14, 2022
Committee discussion: March 16, 2022
Council action (or sets hearing): March 28, 2022
Public Hearing (if required): April 11, 2022
Deadline: April 18, 2022

Background and Alternatives Explored:
The City of Missoula, in partnership with Missoula County, intends to construct transportation improvements and public utility improvements with a federal BUILD Grant and other local funding sources included in the Mullan BUILD Project.

The City intends to finance the water and sewer infrastructure necessary for the Mullan BUILD Project through a combination of borrowing, issuing bonds, or directing funds earmarked for water and sewer capital projects into the Mullan BUILD project. The City will recoup these investments from the developers of parcels benefitting directly from the utility installations. The attached Staff memo provides the background for how the costs associated with each parcel were determined.

Financial Implications:

The City's financial obligations for the Mullan BUILD Project, including the utility investments, were established in the FY21 CIP. This includes \$2.6 million for water and \$1.3 million for sewer which will be financed with revenue bonds.

Links to external websites:

<https://www.mullanbuild.com/>

RESOLUTION NUMBER 8488

A resolution of the Missoula City Council establishing Mullan BUILD Water and Sewer Special Development Fees to be applicable to new development within the Mullan BUILD Project Area outlined in Exhibit 1 (Water) and 2 (Sewer) to this Resolution.

WHEREAS, the City, in partnership with Missoula County, intends to construct transportation improvements and public utility improvements with a \$13 million federal BUILD Grant and other local funding sources in the Mullan Road area (the “Mullan BUILD Project”); and

WHEREAS, the local funding sources will include County funds, special transportation impact fees and special utility development fees; and

WHEREAS, the Missoula City Council adopted the Sxwtpqyen Area Transportation Special Impact Fee Ordinance on March 1, 2021 (Ordinance 3677) and Fee Schedule (Resolution 8502) effective March 31, 2021 to fund the construction of roadway and storm drainage infrastructure; and

WHEREAS, the City intends to finance the water and sewer infrastructure necessary for the Mullan BUILD Project (“BUILD Utility Infrastructure”) through a combination of borrowing, issuing bonds, or directing funds earmarked for water and sewer capital projects into the Mullan BUILD Project; and

WHEREAS, the BUILD Utility Infrastructure costs are expenses that would normally be incurred by developers prior to receiving permits to construct structures that connect to the City’s water and sewer service, or prior to receiving final plat approval of a subdivision; and

WHEREAS, the City believes that by including the BUILD Utility Infrastructure as part of the Mullan BUILD Project, the City will reduce the cost of development in the Mullan Road area, and therefore reduce the cost of constructing housing; and

WHEREAS, the City believes that existing utility customers should not be required to fund this new water and sewer infrastructure which does not benefit them, and therefore the City desires to recoup the BUILD Utility Infrastructure costs through enacting water and sewer special development fees (“Mullan BUILD Water and Sewer Special Development Fees”) to be imposed on specific properties that will directly benefit from this new water and sewer infrastructure; and

NOW THEREFORE, BE IT RESOLVED that the Missoula City Council adopts the Mullan BUILD Water and Sewer Special Development Fees. The Mullan BUILD Sewer Special Development Fees shall be paid prior to making the first connection to City sewer service constructed by the Mullan BUILD Project within each parcel. The Mullan BUILD Water Special Development Fees shall be paid prior to making any connection to City water service constructed by the Mullan BUILD Project within each parcel; and

BE IT FURTHER RESOLVED THAT, the revenue generated by the Mullan BUILD Water Special Development Fees shall be placed in the Water Development Fund, and the Mullan Area Sewer Special Development Fees shall be placed in the Sewer Development Fund, with such funds to be used to fund capital projects or to repay indebtedness on capital projects of the utility associated with the Outstanding Infrastructure costs; and

BE IT FURTHER RESOLVED THAT, the Mullan BUILD Water and Sewer Special Development Fees are to be paid in addition to any other applicable development fee, connection fee, impact fee, or other fee or charge associated with new development adopted by the City Council; and

BE IT FINALLY RESOLVED THAT, a copy of this Resolution shall be recorded against each parcel included in the areas outlined in Exhibits 1 and 2 attached to this Resolution.

PASSED AND ADOPTED this ___ day of _____, 2022.

ATTEST:

APPROVED:

Martha L. Rehbein,
CMC City Clerk

John Engen
Mayor

(SEAL)

NOTE: ID numbers (1) through (14) are used in Exhibits 1A, 1B, 3 and 4 attached to the March 3, 2022 staff memo that describes the approach to the Mullan BUILD Water and Sewer Special Development fees. The purpose of the ID numbers is to identify which utility segments a particular parcel is responsible for.

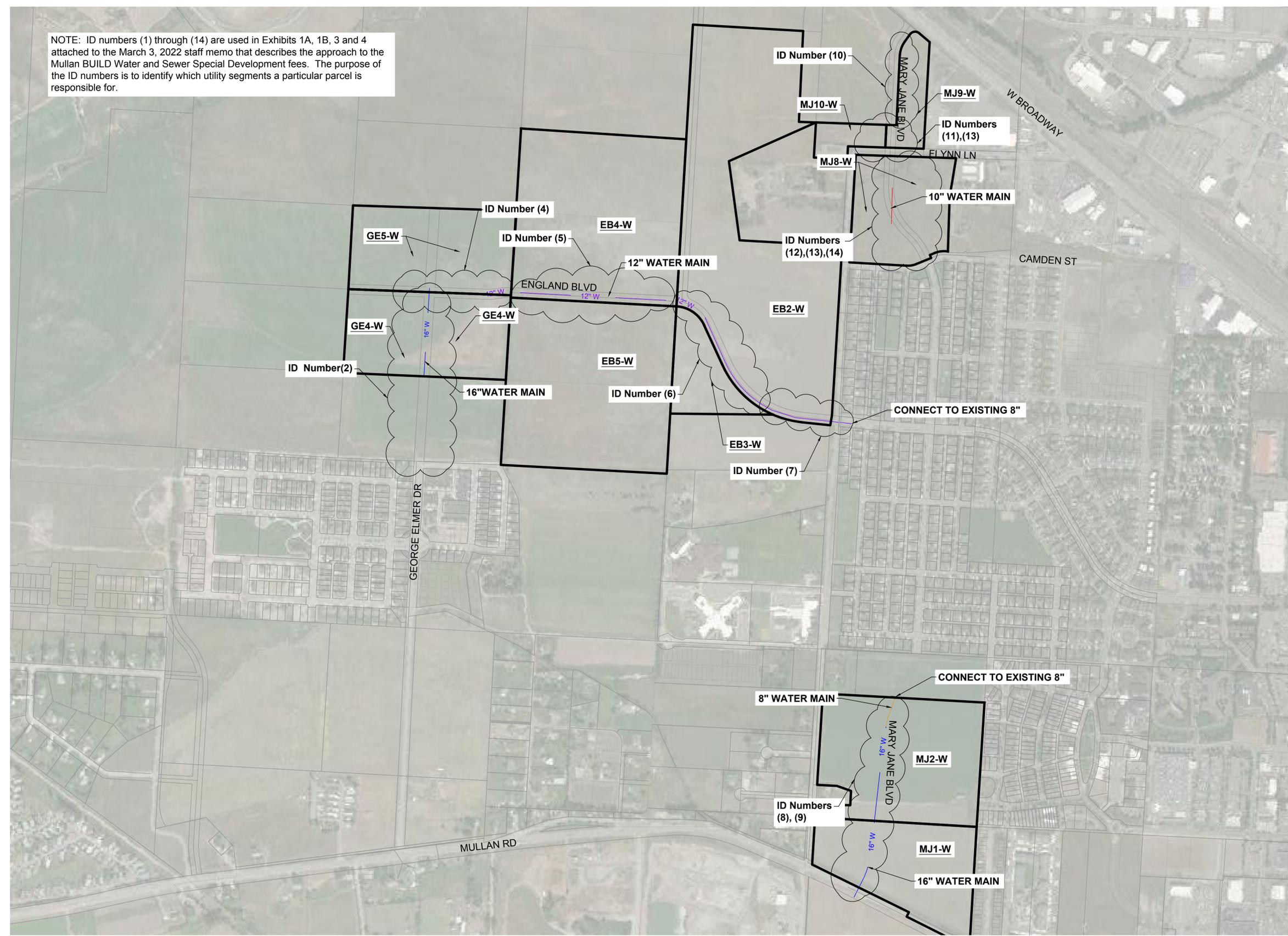


EXHIBIT INDEX

EXHIBIT NUMBER	PROPERTY OWNER
GE4-W	FLYNN FAMILY LP
GE5-W	FLYNN FAMILY LP
EB2-W	DOUGHERTY RANCH, LLC
EB3-W	DOUGHERTY RANCH, LLC
EB4-W	DOUGHERTY RANCH, LLC
EB5-W	DOUGHERTY RANCH, LLC
MJ1-W	FLYNN FAMILY LP
MJ2-W	FLYNN FAMILY LP
MJ8-W	LUIKART SHANNON R
MJ9-W	EDGE 1 LLC
MJ10-W	JAMES DOUGHERTY FAMILY LLC

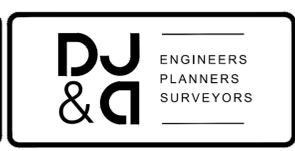
LEGEND

	8" W		8" WATER
	10" W		10" WATER
	12" W		12" WATER
	16" W		16" WATER
	20" W		20" WATER
			PROPERTY LINE
			SUBJECT PROPERTY



REVISION	DATE	DESCRIPTION

DESIGNER	PROJ. NO.
DRAWN	DATE
CHECKED	SURVEYED
	DJ&A, P.C.



MULLAN BUILD

WATER SYSTEM IMPROVEMENTS
EXHIBIT 1

SHEET	OF
1	1

NOTE: ID numbers (1) through (14) are used in Exhibits 1A, 1B, 3 and 4 attached to the March 3, 2022 staff memo that describes the approach to the Mullan BUILD Water and Sewer Special Development fees. The purpose of the ID numbers is to identify which utility segments a particular parcel is responsible for.

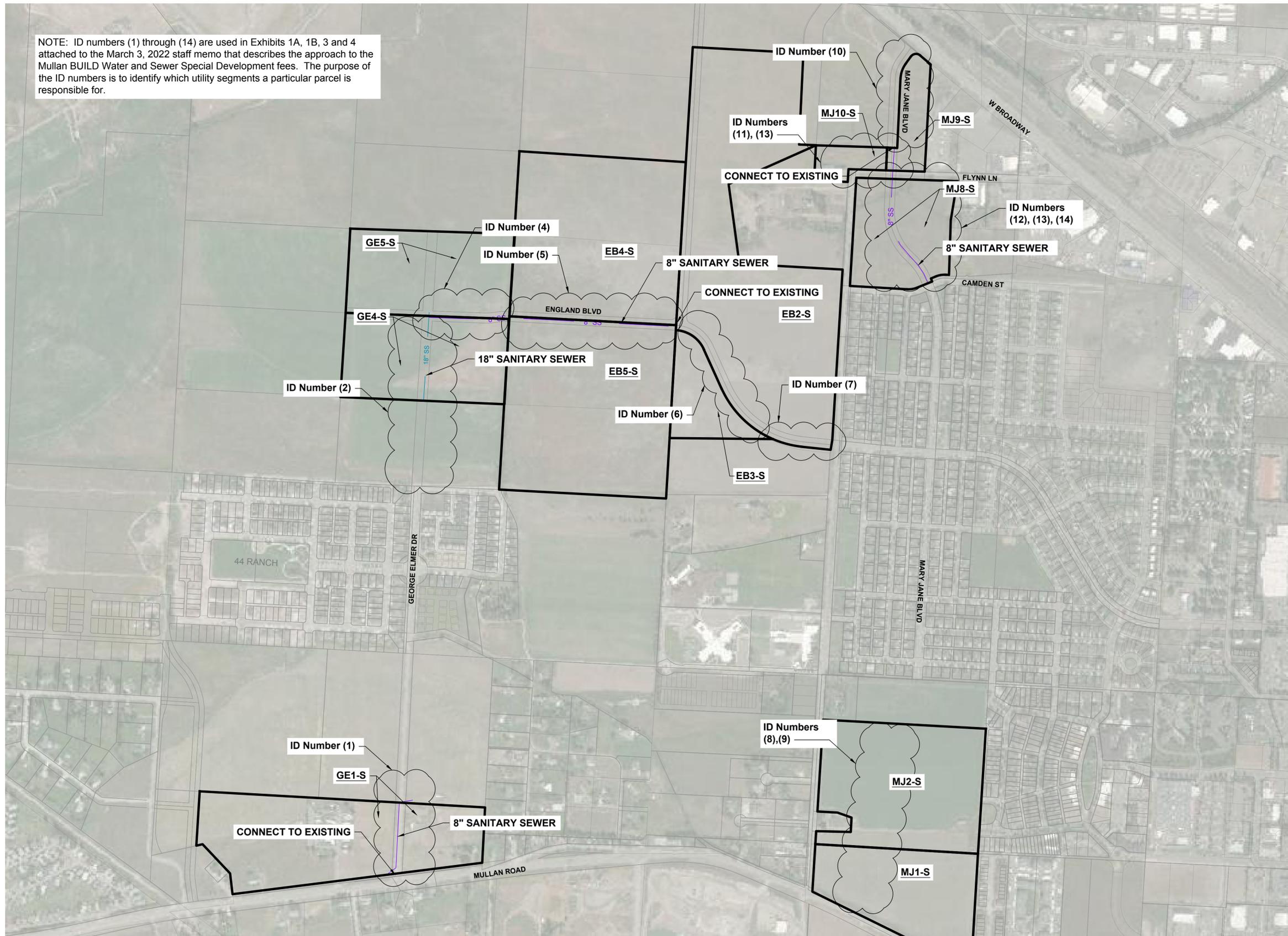


EXHIBIT INDEX

EXHIBIT NUMBER	PROPERTY OWNER
GE1-S	KATHRYN FLYNN FAMILY LTD
GE4-S	FLYNN FAMILY LP
GE5-S	FLYNN FAMILY LP
EB2-S	DOUGHERTY RANCH, LLC
EB3-S	DOUGHERTY RANCH, LLC
EB4-S	DOUGHERTY RANCH, LLC
EB5-S	DOUGHERTY RANCH, LLC
MJ1-S	FLYNN FAMILY LP
MJ2-S	FLYNN FAMILY LP
MJ8-S	LUIKART SHANNON R
MJ9-S	EDGELL 1 LLC
MJ10-S	JAMES DOUGHERTY FAMILY LLC

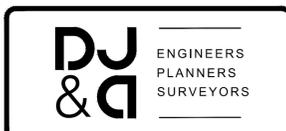
LEGEND

	8" SS		8" SEWER
	12" SS		12" SEWER
	18" SS		18" SEWER
	PROPERTY LINE		SUBJECT PROPERTY



REVISION	DATE	DESCRIPTION

DESIGNER	PROJ. NO.
DRAWN	DATE
CHECKED	SURVEYED
	DJ&A, P.C.



MULLAN BUILD

SEWER SYSTEM IMPROVEMENTS
EXHIBIT 2

SHEET	OF
1	1



City of Missoula, Montana
Item to be Referred to City Council Committee

Committee: Public Works

Item: A Resolution to Order the 2021 curb and sidewalk associated improvements adjacent to miscellaneous parcels

Date: March 3, 2022

Sponsor(s): Monte Sipe

Prepared by: Ashley Strayer

Ward(s) Affected:

- Ward 1
- Ward 2
- Ward 3
- All Wards
- Ward 4
- Ward 5
- Ward 6
- N/A

Action Required:

Approve the resolution ordering in sidewalk, curb, gutter, and alley approach improvements without the creation of a special improvement district for improvements adjacent to miscellaneous parcels in the City for the 2021 project year, as established in exhibit A.

Recommended Motion(s):

I move the City Council: Approve the resolution ordering in sidewalk, curb, gutter, and alley approach improvements without the creation of a special improvement district for improvements adjacent to miscellaneous parcels in the City for the 2021 project year, as established in exhibit A.

Timeline:

Referral to committee:	March 14, 2022
Committee discussion:	March 16, 2022
Council action (or sets hearing):	March 28, 2022
Public Hearing (if required):	N/A
Deadline:	N/A

Background and Alternatives Explored:

Through the City’s Curb, Gutter, Sidewalk & Alley Approach Improvement Assessment Program, property owners can request the City to finance the costs of curb and sidewalk improvement projects, after which the City spreads these costs as an assessment against the property. Unlike City initiated sidewalk CIP projects, these are typically either voluntary, permit related, or needed to address hazardous conditions. If citizens wish to take advantage of this City financing method, assessment agreements are obtained with the property owners for the necessary improvements. The City then pays contractors for the completed work that has already been authorized by owners and required by the City.

In spring/summer of the following year(s), the City Finance Office administers the sale of municipal bonds for all curb and sidewalk projects completed during the previous construction season, and these miscellaneous parcels are included in the bond issue. Proceeds of the bonds are used to reimburse the City for the payments previously made to the contractor. The bonds

are retired through the proceeds of the Assessments on each parcel. The City then assesses these costs against each particular property in the form of semi-annual installments of principal and interest over a term of 8, 12, or 20 years at an interest rate equal to the bond interest rate plus 0.5%.

In 2021, there were 4 parcels and corresponding property owners that utilized this program, as shown in the "Resolution to Order Exhibit A". The background of each project is unique but can be quickly described as follows:

- | | | |
|--------------------------------|----------|---------------------------|
| • 321 S 3 rd St W | \$7,700 | Voluntary |
| • 1903 Kemp St | \$40,250 | Permit Related |
| • 2155 ½ W. Kent Ave | \$3,850 | Voluntary |
| • Ridge Homeowners Association | \$26,200 | Hazardous Sidewalk Repair |

Financial Implications:

None, all costs are covered by property owners through the City's Special Improvement Assessment Program.

Links to external websites: None

H-M Concrete L.L.C.
18427 Mullan Road
Frenchtown MT 59834

Invoice

Date	Invoice #
8/20/2021	21-38

Bill To
Joanna Rhein 321 South 3rd St W Missoula, MT 59801

P.O. No.	Terms	Project
		321 South 3rd St W

Quantity	Description	U/M	Rate	Amount
1	Remove and Replace 260 sq ft of Concrete Sidewalk in right of way	LS	7,070.00	7,070.00
	Permit Fee		630.00	630.00
Project # <u>2021-001 Misc Assessment Parcels</u> Address <u>321 S 3rd St W, Missoula, MT 59801</u> <u>4465.280.430262.930</u> \$ <u>7,700.00</u> _____ \$ _____ _____ \$ _____ Total \$ <u>7,700.00</u> Reviewed <u><i>Brandon Pappas</i></u> Date <u>9/24/21</u> Approved <u><i>[Signature]</i></u> Date <u>9/28/21</u>				
Thank you for your business!			Total	\$7,700.00

A 8547

Return to: City Clerk
City of Missoula
435 Ryman St
Missoula MT 59802

202131722 B: 1069 P: 652 Pages: 3 Fees: \$24.00
12/29/2021 03:15:57 PM Contracts & Agreements
Tyler R. Gernant, Missoula County Clerk & Recorder
eRecording

ASSESSMENT AGREEMENT

THIS ASSESSMENT AGREEMENT (the "Agreement") dated as of the 9th day of December, 2021, is entered into by and between the owners of the real property described in Section 1 of this Agreement (the "Property"), and the city of Missoula, Montana (the "City"), as follows:

RECITALS:

WHEREAS, the City has the authority to order in the construction of sidewalks, curbs, gutters, driveway approaches, alley approaches and related Improvements and require property owners to pay the costs thereof; and

WHEREAS, the statutes allow the property owner to construct Improvements or allow the City to construct the Improvements and spread the costs of Improvements as a special assessment against the property payable over a term not to exceed 20 years (the "Program"); and

WHEREAS, the Property Owner has caused the construction of certain Improvements; and

WHEREAS, the Property Owner has requested that the City finance the costs of the Improvements and spread the cost thereof along with the costs of financing and administering the Program as a special assessment against the Property.

NOW, THEREFORE, in consideration of the foregoing and other due and valid consideration, the Parties hereby agree as follows:

Section 1. The legal description of the property to be assessed for cost of Improvements is described as: CARLINE ADDITION #2, S29, T13 N, R19 W, BLOCK J, LOTS 1-3, Tax ID 2002704 and commonly addressed as: 1903 KEMP ST, MISSOULA, MT 59801

Section 2. The Improvements, including the construction cost of \$ 40,250 . 00 , and all financing and administrative costs (may be less, but not to exceed additional 20%) shall constitute the Principal and such amount shall be assessed against the Property in equal semiannual installments of principal and interest over a term of 20 years. The special assessments shall bear interest at an annual rate equal to the rate that the City receives for the sale of its bonds to finance the costs of the Program (plus 0.5% per annum).

Section 3. The Property Owner(s) acknowledge, understand, confirm and consent that the amount so assessed will be come a lien against the Property, which can be extinguished only by the payment in full of the principal amount of the assessment with interest due thereon. The assessment shall be pre-payable by the Property Owner(s) at the principal amount outstanding plus interest thereon to the next succeeding interest payment date on the City's bonds, which payment dates are each January 1 and July 1.

The parties acknowledge that they are the lawful owner(s) and seized of the real property described herein, and that they have good and lawful right and authority to execute this Agreement.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the day and year first above written.

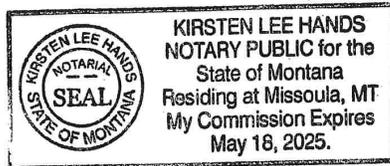
By: [Signature]
Print: Jessica Buford

STATE OF MONTANA)
: ss
County of Missoula)

On this 9th day of December, 2021, before me a Notary Public for the State of Montana, personally appeared Jessica Buford and _____, known to me to be the person(s) whose name(s) is (are) subscribed to the within instrument, and acknowledged to me that (he) (she) (they) executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year first above written.

(Notarial Seal)



[Signature]
Notary Public for the State of Montana
Residing at _____
My Commission expires _____

Property Owner Name: JESSICA BUFORD Phone: (406) 830-8783
Owner Mailing Address: 1903 KEMP ST, MISSOULA, MT 59801
Description of Work (the "Improvements") CURB, SIDEWALK, DRIVEWAY APPROACH, WATER SERVICE STUB OUT, CORNER CURB RAMPS, BACKFILL, AND BOULEVARD TOPSOIL
Contractor Completing Work: STEVE HABETS @ H-M CONCRETE

H-M Concrete L.L.C.
 18427 Mullan Road
 Frenchtown MT 59834

Invoice

Date	Invoice #
11/30/2021	21-57

Bill To
Colton & Jessica Buford 1903 Kemp Missoula, MT 59801

P.O. No.	Terms	Project
		1903 Kemp St.

Quantity	Description	U/M	Rate	Amount
	4" Concrete Sidewalk 975 SF	LS	13,650.00	13,650.00
1	6" Concrete Sidewalk 150 SF	LS	2,400.00	2,400.00
1	Type L Curb 46 LF	LS	3,680.00	3,680.00
1	Truncated Domes 2 LS	ea	1,000.00	1,000.00
1	Asphalt Patch 150 SF	LS	1,320.00	1,320.00
1	Water Stub	ea	14,000.00	14,000.00
1	Topsoil Placement 50 YDS	EA	2,500.00	2,500.00
1	Fill Dirt 30 YDS	ea	500.00	500.00
	City Permit Fee		1,200.00	1,200.00
Project # 2021-001 Misc Assessment Parcels Address 1903 Kemp St, Missoula, MT 59801 4465.280.430262.930 \$ 40,250.00 _____ \$ _____ _____ \$ _____ Total \$ _____ Reviewed <u>Brandt Dahlen</u> Date <u>12/17/21</u> Approved <u>[Signature]</u> Date <u>12/23/21</u>				
Thank you for your business!			Total	\$40,250.00

Return to: City Clerk
City of Missoula
435 Ryman St
Missoula MT 59802

ASSESSMENT AGREEMENT

THIS ASSESSMENT AGREEMENT (the "Agreement") dated as of the 2nd day of October, 2021, is entered into by and between the owners of the real property described in Section 1 of this Agreement (the "Property"), and the city of Missoula, Montana (the "City"), as follows:

RECITALS:

WHEREAS, the City has the authority to order in the construction of sidewalks, curbs, gutters, driveway approaches, alley approaches and related Improvements and require property owners to pay the costs thereof; and

WHEREAS, the statutes allow the property owner to construct Improvements or allow the City to construct the Improvements and spread the costs of Improvements as a special assessment against the property payable over a term not to exceed 20 years (the "Program"); and

WHEREAS, the Property Owner has caused the construction of certain Improvements; and

WHEREAS, the Property Owner has requested that the City finance the costs of the Improvements and spread the cost thereof along with the costs of financing and administering the Program as a special assessment against the Property.

NOW, THEREFORE, in consideration of the foregoing and other due and valid consideration, the Parties hereby agree as follows:

Section 1. The legal description of the property to be assessed for cost of Improvements is described as: Carline Addition - BLK 17 Lots 13A and 16A, S29,
T13N, R19W, Block 17, Lot 13A, Tax ID 3296501
and commonly addressed as: 2155 1/2 W Kent Ave

Section 2. The Improvements, including the construction cost of \$ 3,850.00, and all financing and administrative costs (may be less, but not to exceed additional 20%) shall constitute the Principal and such amount shall be assessed against the Property in equal semiannual installments of principal and interest over a term of 20 years. The special assessments shall bear interest at an annual rate equal to the rate that the City receives for the sale of its bonds to finance the costs of the Program (plus 0.5% per annum).

Section 3. The Property Owner(s) acknowledge, understand, confirm and consent that the amount so assessed will become a lien against the Property, which can be extinguished only by the payment in full of the principal amount of the assessment with interest due thereon. The assessment shall be pre-payable by the Property Owner(s) at the principal amount outstanding plus interest thereon to the next succeeding interest payment date on the City's bonds, which payment dates are each January 1 and July 1.

The parties acknowledge that they are the lawful owner(s) and seized of the real property described herein, and that they have good and lawful right and authority to execute this Agreement.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the day and year first above written.

By: Benjamin Bruce Adkison

Print: Benjamin Bruce Adkison

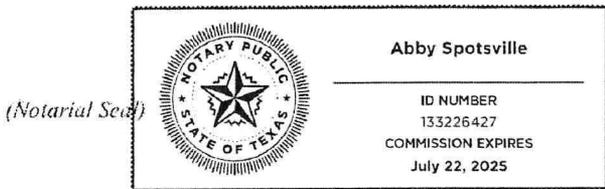
By: N/A

Print: N/A

STATE OF MONTANA)
 : ss
County of Missoula)

On this 1st day of October, 2021, before me a Notary Public for the ~~State of Montana~~, personally appeared Benjamin Bruce Adkison and N/A, known to me to be the person(s) whose name(s) is (are) subscribed to the within instrument, and acknowledged to me that (he) (she) (they) executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year first above written.



AS
Abby Spotsville
Notary Public for the ~~State of Montana~~ Texas
Residing at County of Harris
My Commission expires 07/22/2025

Notarized online using audio-video communication

Property Owner Name: Benjamin Adkison Phone: 406-396-6053
Owner Mailing Address: 2155 1/2 W Kent, Missoula, MT 59801
Description of Work (the "Improvements") ROW Sidewalk installation in front of house/lot
Contractor Completing Work: Hm Concrete

H-M Concrete L.L.C.
 18427 Mullan Road
 Frenchtown MT 59834

Invoice

Date	Invoice #
9/19/2021	21-46

Bill To
Ben Adkison PO Box 18251 Missoula, MT 59808

P.O. No.	Terms	Project
		2155 1/2 West Kent Ave

Quantity	Description	U/M	Rate	Amount																
1	Pour 140 SF Concrete Sidewalk City Permit Fee	ea	3,600.00 250.00	3,600.00 250.00																
<p><i>Proj. 2021-001 Misc. Assessment Parcels 2155 1/2 W. Kent Ave. Tax ID 3296501</i></p> <table border="1" style="width: 100%;"> <tr> <td style="width: 60%;"><i>4465.280.430262.930</i></td> <td style="width: 40%; text-align: right;">\$ <i>3,850.00</i></td> </tr> <tr> <td> </td> <td style="text-align: right;">\$ <i> </i></td> </tr> <tr> <td> </td> <td style="text-align: right;">\$ <i> </i></td> </tr> <tr> <td> </td> <td style="text-align: right;">\$ <i> </i></td> </tr> <tr> <td>Approved <i>10/5/21</i></td> <td style="text-align: right;">Total \$ <i>3,850.00</i></td> </tr> <tr> <td><i>Mark Tolpovich</i></td> <td style="text-align: right;"><i>10/5/21</i></td> </tr> <tr> <td style="text-align: center;"><small>(reference)</small></td> <td style="text-align: center;"><small>(date)</small></td> </tr> <tr> <td><i>[Signature]</i></td> <td style="text-align: right;"><i>10/5/21</i></td> </tr> </table>					<i>4465.280.430262.930</i>	\$ <i>3,850.00</i>		\$ <i> </i>		\$ <i> </i>		\$ <i> </i>	Approved <i>10/5/21</i>	Total \$ <i>3,850.00</i>	<i>Mark Tolpovich</i>	<i>10/5/21</i>	<small>(reference)</small>	<small>(date)</small>	<i>[Signature]</i>	<i>10/5/21</i>
<i>4465.280.430262.930</i>	\$ <i>3,850.00</i>																			
	\$ <i> </i>																			
	\$ <i> </i>																			
	\$ <i> </i>																			
Approved <i>10/5/21</i>	Total \$ <i>3,850.00</i>																			
<i>Mark Tolpovich</i>	<i>10/5/21</i>																			
<small>(reference)</small>	<small>(date)</small>																			
<i>[Signature]</i>	<i>10/5/21</i>																			

Thank you for your business!	Total \$3,850.00
------------------------------	-------------------------

A 8262

Return to: City Clerk
City of Missoula
435 Ryman St
Missoula MT 59802

ASSESSMENT AGREEMENT

THIS ASSESSMENT AGREEMENT (the "Agreement") dated as of the 21st day of April, 2021, is entered into by and between the owners of the real property described in Section 1 of this Agreement (the "Property"), and the city of Missoula, Montana (the "City"), as follows:

RECITALS:

WHEREAS, the City has the authority to order in the construction of sidewalks, curbs, gutters, driveway approaches, alley approaches and related Improvements and require property owners to pay the costs thereof; and

WHEREAS, the statutes allow the property owner to construct Improvements or allow the City to construct the Improvements and spread the costs of Improvements as a special assessment against the property payable over a term not to exceed 20 years (the "Program"); and

WHEREAS, the Property Owner has caused the construction of certain Improvements; and

WHEREAS, the Property Owner has requested that the City finance the costs of the Improvements and spread the cost thereof along with the costs of financing and administering the Program as a special assessment against the Property.

NOW, THEREFORE, in consideration of the foregoing and other due and valid consideration, the Parties hereby agree as follows:

Section 1. The legal description of the property to be assessed for cost of Improvements is described as: Geocode 04-2093-07-4-03-010000
507, T12N, R19W, Block COM, Lot NON, Common Area, Tax ID 0005813458
and commonly addressed as: The Ridge HOA Common Area

Section 2. The Improvements, including the construction cost of \$ 26,200.00, and all financing and administrative costs (may be less, but not to exceed additional 20%) shall constitute the Principal and such amount shall be assessed against the Property in equal semiannual installments of principal and interest over a term of 20 years. The special assessments shall bear interest at an annual rate equal to the rate that the City receives for the sale of its bonds to finance the costs of the Program (plus 0.5% per annum).



Remit To:
KNIFE RIVER - MISSOULA
4800 WILKIE ROAD
MISSOULA, MONTANA 59808

Customer: 638012
THE RIDGE HOA
ATTN: SANDY MACK
PO BOX 2219
MISSOULA MT 59806

Contract Billing		
Contract No. 16045	Project No. 28213100	Invoice No. 19896
Job Description HILLVIEW & SOUTHRIDGE		
Invoice Date 04/14/21	Appl No. 1	Adjust No.
Bill From: 04/01/21	Bill To: 04/14/21	Cust Ref No. 45014

C/O	Bid Item	Description	Units	UM	Unit Price	Extension	Total Units To Date	Total Billing	Previous Units To Date	Previous Billing	Current Units	Current Billing
	1	MOBILIZATION	1.00	LS	1,100.00	1,100.00	100.00 %	1,100.00	0.00 %	0.00	100.00 %	1,100.00
	2	DEMO & EXCAVATION	1.00	LS	7,800.00	7,800.00	100.00 %	7,800.00	0.00 %	0.00	100.00 %	7,800.00
	3	GRAVEL	1.00	LS	3,500.00	3,500.00	100.00 %	3,500.00	0.00 %	0.00	100.00 %	3,500.00
	4	CURB & GUTTER	1.00	LS	3,700.00	3,700.00	100.00 %	3,700.00	0.00 %	0.00	100.00 %	3,700.00
	5	SIDEWALK	1.00	LS	4,100.00	4,100.00	100.00 %	4,100.00	0.00 %	0.00	100.00 %	4,100.00
	6	ASPHALT PATCH	1.00	LS	2,300.00	2,300.00	100.00 %	2,300.00	0.00 %	0.00	100.00 %	2,300.00
	7	TOPSOIL	1.00	LS	2,000.00	2,000.00	100.00 %	2,000.00	0.00 %	0.00	100.00 %	2,000.00
	8	PERMITS	1.00	LS	1,700.00	1,700.00	100.00 %	1,700.00	0.00 %	0.00	100.00 %	1,700.00
		Total APRIL SERVICES			\$ 26,200.00	\$ 26,200.00		\$ 0.00	\$ 26,200.00			
		Subtotal Amount:			\$ 26,200.00	\$ 26,200.00		\$ 0.00	\$ 26,200.00			
		Total Invoice Amount:				\$ 26,200.00		\$ 0.00	\$ 26,200.00			

Previous Invoices:	\$	0.00
Current Invoices:	\$	26,200.00
Total Amount Billed to Date:	\$	26,200.00
Total Payments Received to Date:	\$	0.00
Total Outstanding	\$	26,200.00

DUE THE 10TH OF THE MONTH FOLLOWING DATE OF INVOICE. PLEASE PAY FROM INVOICE - NO STATEMENT WILL BE ISSUED

Return to: City Clerk
City of Missoula
435 Ryman St.
Missoula MT 59802

Certificate as to resolution and adopting vote

I, the undersigned, being the duly qualified and acting recording officer of the city of Missoula, Montana (the "city"), hereby certify that the attached resolution is a true copy of a resolution entitled: "a resolution relating to ordering in sidewalk, curb, gutter, and alley approach improvements without the creation of a special improvement district for improvements adjacent to miscellaneous parcels in the City for the 2021 project year" (the "resolution"), on file in the original records of the city in my legal custody; that the resolution was duly adopted by the city council of the city at a meeting on _____, 2022, and that the meeting was duly held by the city council and was attended throughout by a quorum, pursuant to call and notice of such meeting given as required by law; and that the resolution has not as of the date hereof been amended or repealed.

I further certify that, upon vote being taken on the resolution at said meeting, the following council members voted in favor thereof: _____

_____ ; voted against the same: _____

_____ ; abstained from voting thereon: _____

_____ ; or were absent: _____

Witness my hand and seal officially this ____ day of _____, 2022.

Martha I. Rehbein, CMC
City clerk

(seal)

Resolution no. _____

A resolution relating to ordering in sidewalk, curb, gutter, and alley approach improvements without the creation of a special improvement district for improvements adjacent to miscellaneous parcels in the City for the 2021 project year

Whereas, the city is granted the power pursuant to section 7-14-4109, section 7-14-4122, section 7-15-4125, M.C.A. and city of Missoula municipal code title 12, chapter 12.10, to order, regulate and provide for the construction or repair of certain improvements without creation of a special improvement district and certain sections of curb and gutter, sidewalks, drive approaches, alley approaches and/or appurtenant features have deteriorated, settled or cracked, or none exist, or some of the foregoing do not exist; and

Whereas, the safety and convenience of the public require installation, construction, reconstruction, repair or replacement of curbs and gutters, sidewalks, drive approaches, alley approaches, and/or appurtenant features or combinations thereof; and

Whereas, the city has implemented an annual program to cause the construction or reconstruction of needed or unsafe sidewalks, curbs or gutters through various projects.

Now, therefore, be it resolved by the city council of the city of Missoula, Montana, as follows:

1. Authorization. The council hereby orders the installation, construction, reconstruction, or replacements of certain curbs, gutters, sidewalks, drive approaches, alley approaches and appurtenant improvements in certain locations (the "improvements"), which improvements and locations are more fully described in Exhibit A (which exhibit is incorporated by reference and made a part hereof).

2. Affected properties. All properties which will be required to pay any portion of the costs of the improvements identified herein are listed and the owners of those properties are identified on Exhibit A attached hereto.

3. Estimated costs. The costs to be assessed against the property owners will include the costs of constructing the improvements and the city's administrative costs, costs of financing and a contribution to the city's revolving fund. The estimated costs of the improvements are shown on Exhibit A attached hereto describing the improvements.

The actual cost to be assessed against any benefited property will be determined by the actual amount of work completed adjacent to the property plus a proportionate share of the costs of any alley approaches for the block within which the property is located.

4. Assessment of costs. All costs of constructing the curbs, gutters, sidewalks, drive approaches and alley approaches, including engineering, administrative, bond, and contingency costs will be assessed against the properties which are adjacent to the improvements installed.

5. Period of assessments. The assessments for all improvements and costs shall be paid in not more than twenty (20) annual installments, plus interest, provided however, that payment of one-half of each annual installment, plus interest, may be deferred to May 31 of the year following the assessment.

Passed by the city council of the city of Missoula, Montana, this ____ day of _____, 2022.

John Engen, Mayor

Attest: _____
Martha I. Rehbein, CMC
City Clerk

GEOCODE	SUID	PROPERTY OWNER	ADDRESS1	CITY	STATE	ZIP	LEGAL DESCRIPTION	PROPERTY ADDRESS	MARKET VALUE	PAY METHOD	TERM	PROJECT NO	AMOUNT TO ASSESS
220021426080000	465504	RHEIN JONNA & LEO A	321 S 3RD ST W	MISSOULA	MT	59801-2521	KNOWLES ADDITION # 1, S21, T13 N, R19 W, BLOCK 23, Lot 3	317-323 S 3RD ST W	\$557,500	ASSESS	12	2021-001	\$7,700.00
220029346300000	2002704	BUFORD COLTON ALWARD JESSICA	1903 KEMP ST	MISSOULA	MT	59801-5329	ARLINE ADDITION # 2, S29, T13 N, R19 W, BLOCK J, Lot 1 - 3	1903 KEMP ST	\$229,700	ASSESS	20	2021-001	\$40,250.00
220029327270000	3296501	ADKISON BENJAMIN	155 CEDAR HILLS RD	WHITEHALL	MT	59759-8602	CARLINE ADDITION - BLK 17 LOTS 13A & 16A, S29, T13 N, R19 W, BLOCK 17, Lot 13A	2155 1/2 W KENT AVE	\$163,400	ASSESS	20	2021-001	\$3,850.00
209307403010000	5813458	RIDGE HOMEOWNERS ASSOCIATION	116 SOUTHRIDGE DR	MISSOULA	MT	59803-3375	RIDGE THE, S07, T12 N, R19 W, BLOCK COM, Lot MON, COMMON AREA	NO ADDRESS	\$141,416	ASSESS	20	2021-001	\$26,200.00

**City of Missoula, Montana
New Business Item**

Item: **Presentation on the Higgins Avenue Corridor (Brooks to Broadway) Project**

Council Meeting

Date: March 28, 2022

Sponsor(s): **Aaron Wilson**

Prepared by: Bella Dowell

Ward(s) Affected:

- | | |
|--|---------------------------------|
| <input checked="" type="checkbox"/> Ward 1 | <input type="checkbox"/> Ward 4 |
| <input type="checkbox"/> Ward 2 | <input type="checkbox"/> Ward 5 |
| <input checked="" type="checkbox"/> Ward 3 | <input type="checkbox"/> Ward 6 |
| | <input type="checkbox"/> N/A |

Action Required:

No Action Required – Information Only

Recommended Motion(s):

I move the City Council:

No Action Required – Information Only

Background and Alternatives Explored:

The City of Missoula and the Missoula Metropolitan Planning Organization (MPO), in collaboration with the Montana Department of Transportation (MDT), are studying Higgins Avenue between Brooks Street and Broadway Street to develop a corridor plan. The plan evaluates design options to improve safety and access for people driving, biking, walking, and riding the bus. The goal is to create a modern transportation system that enhances the economic vitality of the corridor and fulfills the intention of the Downtown Master Plan.

Financial Implications:

N/A

Links to external websites:

<https://www.engagemissoula.com/higgins-avenue-corridor-plan>